

to restore regular order to the fiscal year 2008 budget process so we can avoid this type of situation in the future. I know that is the goal of my friend from West Virginia, and I pledge to him my best effort to help accomplish this goal.

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the Senator for his views. I am absolutely committed to bringing 12 individual bipartisan and fiscally responsible fiscal year 2008 bills to the floor this year. However, for the nine remaining 2007 bills that we must have, we are now 131 days into the fiscal year. Over one-third of the fiscal year is gone, it is over, it is past.

I very much appreciate the Senator and his colleagues for joining me in the bipartisan development of this bill, and I believe we must move forward.

Again, I thank the Senator very much for his cooperation.

I was about to suggest the absence of a quorum, but I yield the floor. I see the distinguished Senator seeking recognition.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to a period for the transaction of morning business.

#### BASE REALIGNMENT AND CLOSURE

Mrs. HUTCHISON. Mr. President, I have heard the remarks of the distinguished majority leader, the distinguished chairman of the Appropriations Committee, and the distinguished ranking member. All I have now is hope because the distinguished majority leader has said he will still work to get the BRAC amendment, which I am going to offer, or attempt to offer, this afternoon. I know there will be an objection. But I want it to be on the record what we are trying to do, with the hope, as the leader said, that perhaps we can adopt this amendment and still make the deadline.

The deadline is actually over a week away, and I think if all of us want to fully fund our Base Closure Commission projects, we can do that.

I also will say I am very hopeful from the chairman's remarks that we will have bipartisan bills. As has been noted on this floor already today, I have been chairman and ranking member of the Military Construction and Veterans Affairs and Related Agencies Subcommittee for some 6 years. I have never noticed a difference when I was chairman and when I was ranking member because Senator FEINSTEIN and I were working together, trying to accommodate the needs of every State in our country. We worked so well together that when she was chairman, it wasn't any different from when I was chairman.

I want that to be the case for our appropriations bills again. But I have to say, in all honesty, I don't feel I have had any input into this particular bill. I don't see the bipartisanship. I don't see the cooperation. We could have done what the Senate normally does, and that is allow some number of amendments—not a filibuster amendment tree, not an unreasonable number. But I think some of the issues that have been brought forward today and in recent days, since the H.J. Res. 20 was made known, are legitimate. I believe we would agree on a bipartisan basis, if we had the ability to offer amendments and debate them, that we should be funding the Base Closure Commission recommendations that were ours, with a deadline that is ours so that we can meet our own standard.

I believe we could work that out. We have already passed the exact same \$3.1 billion—actually \$5 billion—appropriation in this body, so I know we can do it. We have a week. I suggest it would be a wonderful gesture on the part of the majority to allow that to happen.

In addition, what Senator COBURN talked about earlier today, the HIV/AIDS testing of babies, I know there is not one Member on that side who wouldn't make it a priority to give babies a test that would allow them to be inoculated immediately and give those children a chance to have a life. But the funding for the Ryan White Act was cut back, so that is not going to be allowed to go forward.

I don't think that is the intention. I ask, if that is not the intention, can we not sit down as responsible Members of the Senate and work out these few items, work with the House and do a preconference? Nobody wants to delay this legislation, but we would like to have a say.

Where I have talked bipartisanship, that is what we do in the Senate. That is the way we act, in a bipartisan way, which, in the past, the Appropriations Committee has certainly done.

I am disappointed in this resolution. I am disappointed especially in the process that does not allow for an amendment.

Mr. President, is it in order to call up amendment No. 242, the Hutchison-Inhofe amendment to H.J. Res. 20?

The PRESIDING OFFICER. The Senate is in morning business.

Mrs. HUTCHISON. It is not in order then, Mr. President?

The PRESIDING OFFICER. The Senator is correct, it would not be in order to call up the amendment at this point.

Mrs. HUTCHISON. I thank the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, the Hutchison-Inhofe amendment is cosponsored by 27 Members of our Senate. The cosponsors, besides myself and Senator INHOFE, are Senators ALLARD, BAUCUS, BENNETT, BROWNBACK, BUNNING, BURR, CHAMBLISS, COBURN, CORNYN, CRAPO, DEMINT, DOLE, ENZI, GRAHAM, KYL, LOTT, MARTINEZ,

MCCAIN, ROBERTS, SESSIONS, STEVENS, THOMAS, VITTER, VOINOVICH, and WARNER. That is a good number. That is almost a third of the Senate, and there are many who said they would like to cosponsor the amendment, but they were concerned about stopping the bill or going against the leadership on the Democratic side.

It is clear we can work this out, that people want to have this amendment. The amendment is very simple. It restores \$3.136 billion that was taken out of the Department of Defense base closure account, and it is paid for so that we keep the fiscal responsibility with a rescission of .73 percent—that is three-quarters of 1 percent—across the board of all of the accounts, except for defense, homeland security, and veterans.

With a .73-cut, which I think any agency or program could take without any disruption whatsoever, I believe we could fully fund our military and the important operations they are doing, and that is what I think is essential.

I have a much longer set of remarks, but at this point, I will yield for a question from the Senator from Alabama, who I know is on a timetable.

Mr. SESSIONS. Mr. President, I thank Senator HUTCHISON so much for her leadership on this important matter. While she is here, I wish to ask the Senator a few questions about the situation in which we find ourselves.

I believe it was the year before last that we voted, after much anguish and concern and fear by local communities, to go forward with the BRAC, which is the Base Realignment and Closure Commission. Nobody was sure how that would come out and whether some of our bases would be closed. When the dust settled and the long process concluded, a number of bases were closed. At the same time, we are also closing facilities around the world and bringing back more of our troops that are deployed around the world. Isn't it true that the continuing resolution that is proposed would take 55 percent, or \$3.1 billion, out of a little over \$5 billion that was set aside to carry this forward? Isn't that correct?

Mrs. HUTCHISON. Mr. President, the distinguished Senator from Alabama is right. Actually, he may be a little under because the original need was \$5.6 billion, and we are cutting it by \$3.1 billion. We are cutting it by \$3.1 billion. I think that it is a huge cut. It is going to affect the whole synchronization.

We gave the Defense Department 6 years in which to accomplish what the Base Closure Commission recommended, passed and then was adopted by Congress and signed by the President. We have given them a deadline, and yet as the Senator points out, of the \$5.6 billion that was in the budget that has been approved by the Senate before, we only have \$2.5 billion.

Mr. SESSIONS. In other words, the only way to have a savings under the BRAC is to consolidate facilities and avoid waste. To go halfway with this